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PERKINS VAN NATTA

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PATENTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

WALLACE K. DYER

Serial No. 09/943,138

Filed: August 30, 2001

For: METHODS AND COMPOSITIONS  
FOR TISSUE AUGMENTATION

Art Unit: 1639

Examiner: Jon D. Epperson

## DECLARATION OF STEPHEN W. PERKINS, M.D.

I, Stephen Perkins, declare as follows:

1. I am a Board Certified Facial Plastic Surgeon and have been in practice for the past 22 years. I am the past President of the Academy of Facial Plastic and Reconstructive Surgery Society, Chairman of the Fellowship Review Committee, a Fellowship Program Director, the Sub-committee Chairman for the Ninth International Symposium and I am a current member of the Ethics Committee for the American Academy of Facial Plastic and Reconstructive Surgery.

2. At the Indiana University School of Medicine, the Department of Otolaryngology-Head & Neck Surgery Department, where I serve as a Clinical Associate Professor, was hosting a Facial Plastic Surgery Meeting where Dr. Dyer was an invited faculty member. The meeting was in Indianapolis, Indiana, on December 3-4, 1999, and the course was titled, "Facial Plastic Surgery: Entering the New Millennium." Dr. Wallace K. Dyer and I met and we had a confidential meeting in which Dr. Dyer disclosed his invention to me.

3. Dr. Dyer described to me the materials suitable for use in the compositions of his invention. These materials included high density polyethylene microparticles. Dr. Dyer also disclosed to me his concept of other materials that could be used in the

Exhibit B

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Application No. 09/943,138  
Declaration of Stephen W. Perkins, M.D.  
Attorney Docket: 37370-323869 (0200)  
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present invention including Bioglass, vicryl, Prolene, nylon and PTFE. He mentioned to me that these materials could be combined with a physiological carrier, such as polyvinylpyrrolidone. He additionally described to me methods for injecting compositions comprising high density polyethylene microparticles and a physiological carrier, such as polyvinylpyrrolidone, into soft tissue for correction or repair of defects in the tissue.

4. I have received no remuneration for these statements and have volunteered to provide this declaration.

5. I acknowledge under the penalty of perjury pursuant to 18 U.S.C. § 1001, that willful false statements and the like are punishable by fine or imprisonment, or both, and may jeopardize the validity of the above-identified patent application or any patent issuing from the above-identified patent application.

Dated 1/27, 2006

  
Stephen W. Perkins, M.D.